

Attorney Docket No.: 98.41US-CPA(2870/192)

PATENT

3/20/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lawson, et al.

Serial No.: 09/441,832

Group Art Unit: 1619

Filed: November 17, 1999

Examiner: Berman, Alyia

For: Gel-Type Oil Free Cosmetic

RESPONSE PURSUANT TO 37 CFR 1.111

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

In the Examiner's Office Action, dated December 19, 2002, Claims 1 to 3, 7 to 19, 21, 23, 25, and 26 are rejected. In response, please enter the following amendments and consider the following remarks.

CLEAN AMENDMENTS

Please amend the following claims in their clean form below and as the previous version of the claims is marked on the attached page entitled **MARKED AMENDMENTS**.

4. (Amended) The composition of claim 1 further comprising a surfactant/emulsifier that is carbohydrate-based.

8. (Amended) The composition of claim 7 in which the surfactant/emulsifier is selected from the group consisting of PPG-20 methyl glucose ether, PPG-20 methyl glucose distearate, methyl gluceth 10, methyl gluceth 20, glyceryl monostearate, sucrose distearate, and PEG 120 methyl glucose dioleate.

21. (Amended) The composition of claim 15 further comprising a surfactant/emulsifier that is selected from the group consisting of PPG-20 methyl glucose ether, PPG-20 methyl glucose distearate, methyl gluceth 10, methyl gluceth 20, glyceryl monostearate, sucrose distearate, and PEG 120 methyl glucose dioleate.

Fax Cover Sheet



DATE: March 19, 2003 **TIME:** 6:34 PM

TO: Examiner Alycia Berman
U.S.P.T.O. GAO 1617 **PHONE:** (703) 308-4638
FAX: (703) 872-9306

FROM: Dorene M. Price
Estée Lauder Companies **PHONE:** (631) 531-1194
FAX: (631) 744-3594

RE: Response to Office Action (S/N – 09/441,832)

CC:

Number of pages including cover sheet: 11

Message

Please see the attached documents.

1. Certificate of Transmission
2. Amendment Transmittal
3. Amendment (pp, and 3pp attach)

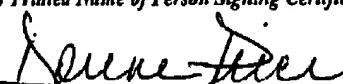
The information contained in this facsimile message is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original to us at the above address via the US Postal Service. Thank you.

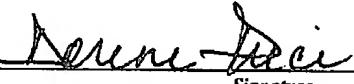
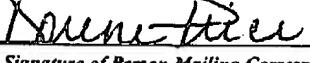
OFFICIAL

FAX RECEIVED

MAR 20 2003

GROUP 1600

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)		Docket No. 98.41US-CPA(2870/192)	
Applicant(s): Lawson, et al.			
Serial No. 09/441,832	Filing Date November 17, 1999	Examiner Berman, Alycia	Group Art Unit 1617
Invention: Gel-Type Oil Free Cosmetic			
<p>I hereby certify that this <u>Cert, Amend Trans, Amend (6pp, and 3pp attach.)</u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>)</p> <p>on <u>March 19, 2003</u> <i>(Date)</i></p> <p style="text-align: center;">DORENE M. PRICE <i>(Typed or Printed Name of Person Signing Certificate)</i></p> <p style="text-align: center;"><u></u> <i>(Signature)</i></p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

AMENDMENT TRANSMITTAL LETTER (Large Entity)		Docket No. 98,41US-CPA(2870/192)			
Applicant(s): Laws n, et al.					
Serial No. 09/441,832	Filing Date November 17, 1999	Examiner Berman, Alysia	Group Art Unit 1617		
Invention: Gel-Type Oil Free Cosmetic					
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	26 -	26 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	2 -	2 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1320 A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p>					
 <i>Dorene M. Price</i> <i>Signature</i>			Dated: March 19, 2003		
Dorene M. Price (Reg. No. 43,018) Estee Lauder Companies 125 Pinelawn Road Melville, NY 11747 (631) 531-1194			<p>I certify that this document and fee is being deposited on March 19, 2003 with the U.S. Postal Service as first-class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. <i>to fax number 703-872-9506</i></p> <p> <i>Dorene M. Price</i> <i>Signature of Person Mailing Correspondence</i></p>		
DORENE M. PRICE					
Typed or Printed Name of Person Mailing Correspondence					